



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3186

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.50

Amends the Emergency Medical Services (EMS) Systems Act. Provides that in prescribing EMT licensure testing requirements for honorably discharged members of the armed forces of the United States, the Department of Public Health shall ensure that a candidate's military emergency medical training, emergency medical curriculum completed, and clinical experience are recognized. Provides that if an EMT-B, EMT-I, or EMT-P has been actively involved in serving as an EMT in a rural area on a volunteer or paid-on-call basis, or a combination of volunteer and paid-on-call, during the period since he or she was licensed or last relicensed (whichever occurred later), the Department of Public Health shall deem that service as satisfying 50% of the number of hours of continuing education otherwise required for relicensure.

LRB098 10920 DRJ 41464 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Emergency Medical Services (EMS) Systems Act
5 is amended by changing Section 3.50 as follows:

6 (210 ILCS 50/3.50)

7 Sec. 3.50. Emergency Medical Technician (EMT) Licensure.

8 (a) "Emergency Medical Technician-Basic" or "EMT-B" means
9 a person who has successfully completed a course of instruction
10 in basic life support as prescribed by the Department, is
11 currently licensed by the Department in accordance with
12 standards prescribed by this Act and rules adopted by the
13 Department pursuant to this Act, and practices within an EMS
14 System.

15 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"
16 means a person who has successfully completed a course of
17 instruction in intermediate life support as prescribed by the
18 Department, is currently licensed by the Department in
19 accordance with standards prescribed by this Act and rules
20 adopted by the Department pursuant to this Act, and practices
21 within an Intermediate or Advanced Life Support EMS System.

22 (c) "Emergency Medical Technician-Paramedic" or "EMT-P"
23 means a person who has successfully completed a course of

1 instruction in advanced life support care as prescribed by the
2 Department, is licensed by the Department in accordance with
3 standards prescribed by this Act and rules adopted by the
4 Department pursuant to this Act, and practices within an
5 Advanced Life Support EMS System.

6 (d) The Department shall have the authority and
7 responsibility to:

8 (1) Prescribe education and training requirements,
9 which includes training in the use of epinephrine, for all
10 levels of EMT, based on the respective national curricula
11 of the United States Department of Transportation and any
12 modifications to such curricula specified by the
13 Department through rules adopted pursuant to this Act.

14 (2) Prescribe licensure testing requirements for all
15 levels of EMT, which shall include a requirement that all
16 phases of instruction, training, and field experience be
17 completed before taking the EMT licensure examination.
18 Candidates may elect to take the National Registry of
19 Emergency Medical Technicians examination in lieu of the
20 Department's examination, but are responsible for making
21 their own arrangements for taking the National Registry
22 examination. In prescribing licensure testing requirements
23 for honorably discharged members of the armed forces of the
24 United States under this paragraph (2), the Department
25 shall ensure that a candidate's military emergency medical
26 training, emergency medical curriculum completed, and

1 clinical experience, as described in paragraph (2.5), are
2 recognized.

3 (2.5) Review applications for EMT licensure from
4 honorably discharged members of the armed forces of the
5 United States with military emergency medical training.
6 Applications shall be filed with the Department within one
7 year after military discharge and shall contain: (i) proof
8 of successful completion of military emergency medical
9 training; (ii) a detailed description of the emergency
10 medical curriculum completed; and (iii) a detailed
11 description of the applicant's clinical experience. The
12 Department may request additional and clarifying
13 information. The Department shall evaluate the
14 application, including the applicant's training and
15 experience, consistent with the standards set forth under
16 subsections (a), (b), (c), and (d) of Section 3.10. If the
17 application clearly demonstrates that the training and
18 experience meets such standards, the Department shall
19 offer the applicant the opportunity to successfully
20 complete a Department-approved EMT examination for which
21 the applicant is qualified. Upon passage of an examination,
22 the Department shall issue a license, which shall be
23 subject to all provisions of this Act that are otherwise
24 applicable to the class of EMT license issued.

25 (3) License individuals as an EMT-B, EMT-I, or EMT-P
26 who have met the Department's education, training and

1 examination requirements.

2 (4) Prescribe annual continuing education and
3 relicensure requirements for all levels of EMT. If an
4 EMT-B, EMT-I, or EMT-P has been actively involved in
5 serving as an EMT in a rural area on a volunteer or
6 paid-on-call basis, or a combination of volunteer and
7 paid-on-call, during the period since he or she was
8 licensed or last relicensed (whichever occurred later),
9 the Department shall deem that service as satisfying 50% of
10 the number of hours of continuing education otherwise
11 required for relicensure. The Department shall adopt rules
12 defining "actively involved" and "rural area".

13 (5) Relicense individuals as an EMT-B, EMT-I, or EMT-P
14 every 4 years, based on their compliance with continuing
15 education and relicensure requirements. An Illinois
16 licensed Emergency Medical Technician whose license has
17 been expired for less than 36 months may apply for
18 reinstatement by the Department. Reinstatement shall
19 require that the applicant (i) submit satisfactory proof of
20 completion of continuing medical education and clinical
21 requirements to be prescribed by the Department in an
22 administrative rule; (ii) submit a positive recommendation
23 from an Illinois EMS Medical Director attesting to the
24 applicant's qualifications for retesting; and (iii) pass a
25 Department approved test for the level of EMT license
26 sought to be reinstated.

1 (6) Grant inactive status to any EMT who qualifies,
2 based on standards and procedures established by the
3 Department in rules adopted pursuant to this Act.

4 (7) Charge a fee for EMT examination, licensure, and
5 license renewal.

6 (8) Suspend, revoke, or refuse to issue or renew the
7 license of any licensee, after an opportunity for an
8 impartial hearing before a neutral administrative law
9 judge appointed by the Director, where the preponderance of
10 the evidence shows one or more of the following:

11 (A) The licensee has not met continuing education
12 or relicensure requirements as prescribed by the
13 Department;

14 (B) The licensee has failed to maintain
15 proficiency in the level of skills for which he or she
16 is licensed;

17 (C) The licensee, during the provision of medical
18 services, engaged in dishonorable, unethical, or
19 unprofessional conduct of a character likely to
20 deceive, defraud, or harm the public;

21 (D) The licensee has failed to maintain or has
22 violated standards of performance and conduct as
23 prescribed by the Department in rules adopted pursuant
24 to this Act or his or her EMS System's Program Plan;

25 (E) The licensee is physically impaired to the
26 extent that he or she cannot physically perform the

1 skills and functions for which he or she is licensed,
2 as verified by a physician, unless the person is on
3 inactive status pursuant to Department regulations;

4 (F) The licensee is mentally impaired to the extent
5 that he or she cannot exercise the appropriate
6 judgment, skill and safety for performing the
7 functions for which he or she is licensed, as verified
8 by a physician, unless the person is on inactive status
9 pursuant to Department regulations;

10 (G) The licensee has violated this Act or any rule
11 adopted by the Department pursuant to this Act; or

12 (H) The licensee has been convicted (or entered a
13 plea of guilty or nolo-contendere) by a court of
14 competent jurisdiction of a Class X, Class 1, or Class
15 2 felony in this State or an out-of-state equivalent
16 offense.

17 ~~(9)~~ An EMT who is a member of the Illinois National Guard
18 or an Illinois State Trooper or who exclusively serves as a
19 volunteer for units of local government with a population base
20 of less than 5,000 or as a volunteer for a not-for-profit
21 organization that serves a service area with a population base
22 of less than 5,000 may submit an application to the Department
23 for a waiver of the these fees described under paragraph (7) on
24 a form prescribed by the Department.

25 The education requirements prescribed by the Department
26 under this subsection must allow for the suspension of those

1 requirements in the case of a member of the armed services or
2 reserve forces of the United States or a member of the Illinois
3 National Guard who is on active duty pursuant to an executive
4 order of the President of the United States, an act of the
5 Congress of the United States, or an order of the Governor at
6 the time that the member would otherwise be required to fulfill
7 a particular education requirement. Such a person must fulfill
8 the education requirement within 6 months after his or her
9 release from active duty.

10 (e) In the event that any rule of the Department or an EMS
11 Medical Director that requires testing for drug use as a
12 condition for EMT licensure conflicts with or duplicates a
13 provision of a collective bargaining agreement that requires
14 testing for drug use, that rule shall not apply to any person
15 covered by the collective bargaining agreement.

16 (Source: P.A. 96-540, eff. 8-17-09; 96-1149, eff. 7-21-10;
17 96-1469, eff. 1-1-11; 97-333, eff. 8-12-11; 97-509, eff.
18 8-23-11; 97-813, eff. 7-13-12; 97-1014, eff. 1-1-13; revised
19 10-17-12.)